
Public Utilities Commission of the State of California

Public Agenda 3482
Thursday, March 25, 2021 10:00 a.m.
Remotely

Commissioners
Marybel Batjer, President
Martha Guzman Aceves
Clifford Rechtschaffen
Genevieve Shiroma
Darcie L. Houck

Pursuant to Executive Order N-29-20, paragraph 3, that was issued on March 17, 2020, Commissioners may participate remotely from teleconferencing locations. The public may observe, provide public comments during the public comment period, and otherwise participate remotely pursuant to the Bagley-Keene Open Meeting act as described below.

Link to Executive Order N-29-20: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

For each agenda item, a summary of the proposed action is included on the agenda as well as a link to the related electronic document. The Commission's decision may, however, differ from that proposed. Public Comments are taken up at the beginning of the meeting (10:00 a.m.).

To listen or make comments not to exceed 2 minutes by phone, **dial 1-800-857-1917 and enter passcode 9899501.**

Individuals wishing to observe the meeting can do so by accessing our website at

<http://www.adminmonitor.com/ca/cpuc/>

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Scheduled Commission Meetings

<i>Ratesetting Deliberative Meeting*</i> Remote (10:00 a.m.) Closed to the Public	<i>Commission Meeting</i> Remote (10:00 a.m.) Open to the Public
Monday, March 22, 2021 (Remotely)	Thursday, March 25, 2021 (Remotely)
Monday, April 12, 2021 (Remotely)	Thursday, April 15, 2021 (Remotely)
Monday, May 3, 2021 (Remotely)	Thursday, May 6, 2021 (Remotely)
Monday, May 17, 2021 (Remotely)	Thursday, May 20, 2021 (Remotely)
Monday, May 31, 2021 (Remotely)	Thursday, June 3, 2021 (Remotely)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest
For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



If specialized accommodations for the disabled are needed, please call the Public Advisor at (415) 703 -2074 or TTY # (415) 703-5282 or toll free # 1- 866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.

Public Comment

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

1 Preliminary Categorizations and Hearing Determinations for Recently Filed Formal Applications

[19281]

Res ALJ 176-3482

PROPOSED OUTCOME:

- Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

- None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=373150391>

Consent Agenda - Orders and Resolutions (continued)

2 **Resolves K.19-12-005, the Appeal of Citation No. F-5623 by
D and D Limo, Inc.**

[19264]

Res ALJ-404

PROPOSED OUTCOME:

- Resolves the Appeal of D and D Limo, Inc. of Citation No. F-5623 issued by the Consumer Protection and Enforcement Division.
- Adopts settlement with modification.
- Closes K.19-12-005.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this Resolution.

ESTIMATED COST:

- There are no costs associated with this Resolution.

(Judge Goldberg)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=366767147>

Consent Agenda - Orders and Resolutions (continued)

3 Resolves K.19-12-004, the Appeal of Citation No. F-5622 by Superior Enterprises, LLC

[19267]

Res ALJ-403

PROPOSED OUTCOME:

- Resolves the Appeal of Superior Enterprises, LLC (TCP 35089-B) of Citation No. F-5622 issued by the Consumer Protection and Enforcement Division.
- Adopts settlement with modification.
- Closes K.19-12-004.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this Resolution.

ESTIMATED COST:

- There are no costs associated with this Resolution.

(Judge Goldberg)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=364934069>

Consent Agenda - Orders and Resolutions (continued)

**4 Resolves K.19-12-006, the Appeal of Citation No. F-5624 by
On Time Coach Executive LLC**

[19268]

Res ALJ-405

PROPOSED OUTCOME:

- Resolves the Appeal of On Time Coach Executive LLC of Citation No. F-5624 issued by the Consumer Protection and Enforcement Division.
- Adopts settlement with modification.
- Closes K.19-12-006.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this Resolution.

ESTIMATED COST:

- There are no costs are associated with this Resolution.

(Judge Goldberg)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=365268188>

Consent Agenda - Orders and Resolutions (continued)

5

Petition for Modification of Decision 17-08-026

[19277]

R.02-01-011

Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

- Grants Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company's request and adopts updates to Appendix A to Decision 17-08-026, Power Charge Indifference Adjustment Workpaper Template.
- Closes this proceeding.

SAFETY CONSIDERATIONS:

- There are no safety impacts to the adoption of this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Guzman Aceves - Judge Liang-Uejio)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=367859278>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

6 Southwest Gas Corporation, Public Advocates Office and City of Victorville Settlement of Test Year 2021 General Rate Increases

[19297]

A.19-08-015

Application of Southwest Gas Corporation for Authority to Increase Rates and Charges for Natural Gas Service in California, Effective January 1, 2021.

PROPOSED OUTCOME:

- Approves settlement agreement of Southwest Gas Corporation, City of Victorville and Public Advocates Office.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Decision.

ESTIMATED COST:

- Rate increase of 3.7 percent for Southern California customers, rate decrease of 7.14 percent for Northern California customers and rate increase of 20.05 percent for South Lake Tahoe customers.

(Comr Guzman Aceves - Judge Miles)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=373131829>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders**7 Intervenor Compensation to Small Business Utility Advocates**

[19269]

A.17-01-013 , A.17-01-014, A.17-01-015, A.17-01-016, and A.17-01-017 - Related matters. Application of Southern California Edison Company for Approval of Energy Efficiency Rolling Portfolio Business Plan. Consolidated applications include San Diego Gas & Electric Company, Pacific Gas and Electric Company, Southern California Gas Company, and Marin Clean Energy.

PROPOSED OUTCOME:

- Awards Small Business Utility Advocates (SBUA) \$1,061.50 for substantial contribution to Decision 20-02-29. That Decision modified D.18-05-041 and denied the Public Advocates Office application for rehearing of D.18-05-041. SBUA originally requested \$1,061.50.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

ESTIMATED COST:

- \$1,061.50, plus interest, to be paid by the ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and Southern California Gas Company.

(Comr Shiroma - Judge Fitch - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=369236578>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders (continued)

8 Intervenor Compensation to The Utility Reform Network

[19270]

P.18-03-014

Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5.

PROPOSED OUTCOME:

- Awards The Utility Reform Network (TURN) \$75,035.49 for substantial contribution to Decision 18-11-003. That Decision denied a Petition for Rulemaking on wireless telecommunications privacy rules. TURN originally requested \$81,201.74.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$75,035.49 plus interest, to be paid by the California Public Utilities Commission Intervenor Compensation Fund.

(Comr Batjer - Judge Jungreis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=369454228>

Consent Agenda - Intervenor Compensation Orders (continued)

9

Intervenor Compensation to The Greenlining Institute

[19275]

A.18-07-011, A.18-07-012 - Related matters.

In the Matter of the Joint Application of Sprint Communications Company L.P. and T-Mobile USA, Inc., a Delaware Corporation, for Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a).

PROPOSED OUTCOME:

- Awards The Greenlining Institute \$92,613.00, for substantial contribution to Decision 20-04-008, Decision Granting Application to Approving Wireless Transfer Subject to Conditions. The Greenling Institute originally requested \$92,481.00.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$92,613.00 plus interest, to be paid by the ratepayers of T-Mobile USA Inc.

(Comr Rechtschaffen - Judge Bemmesderfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=369641062>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda**Regular Agenda- Energy Orders****10 (Rev.) Actions to Prepare for Potential Extreme Weather in the Summers of 2021 and 2022**

[19272]

R.20-11-003

Order Instituting Rulemaking to Establish Policies, Processes, and Rules to Ensure Reliable Electric Service in California in the Event of an Extreme Weather Event in 2021.

PROPOSED OUTCOME:

- Directs and authorizes Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to develop and execute programs and actions related to Flex Alert, Critical Peak Pricing, a new Emergency Load Reduction Program, modifications to existing demand response programs, modifications to the planning reserve margin, and additional capacity procurement.
- Adopts an Attachment 1 that outlines the specific parameters of the ordered actions.
- Proceeding remains open.

SAFETY CONSIDERATIONS:

- This decision responds to the need for capacity resources and additional demand side management that became apparent after the heat events in August 2020 that resulted in rotating electric outages.

ESTIMATED COST:

- The direct cost of this decision is approximately \$40 Million. There may be additional significant costs attributed to the execution of demand response activity, emergency load reduction program activity, and additional capacity procurement.

(Comr Batjer - Judge Stevens)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=373321429>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

This matter may be considered during the Ratesetting Deliberative Meeting.

3/24/2021 - This revision was not listed on the agenda distributed to the public.

Regular Agenda- Legal Division Matters

Regular Agenda- Legislative and Other Matters

Regular Agenda- Management Reports and Resolutions

- 11 **Report and Discussion on Recent Consumer Protection and Safety
Activities**
[19282]

Regular Agenda- Management Reports and Resolutions (continued)

12

Management Report on Administrative Activities

[19283]

Regular Agenda- Commissioner Reports

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126 (e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

13

Conference with Legal Counsel - Application for Rehearing

[19284]

Conference with Legal Counsel - Application for Rehearing.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Appeals from Presiding Officer's Decisions

Discussion of Appeals of Presiding Officer's Decision.

Pub. Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session

14 **Presiding Officer's Decision Imposing Penalties Against Uber Technologies, Inc. for Violating The Assigned Administrative Law Judge's December 19, 2019 and January 27, 2020 Rulings Requiring Information Regarding Sexual Assault and Sexual Harassment Claims**

[19285]

R.12-12-011

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

Pub Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Closed Session - Existing Litigation - Non-Federal

15 **Conference with Legal Counsel - Existing Litigation**

[19286]

Case No: A160822

Michael J. Aguirre vs. California Public Utilities Commission, Court of Appeal of the State of California First Appellate District, Case No: A160822.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

16 **Conference with Legal Counsel - Existing Litigation**
[19287]
Case No. A161002

Alice Stebbins vs. California Public Utilities Commission, Court of Appeal of the State of California First Appellate District, Case No. A161002.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

17 **Conference with Legal Counsel - Existing Litigation**

[19288]

Case No: CGC-20-588148

Alice Stebbins vs. California Public Utilities Commission, et al., Superior Court of California of the City and County of San Francisco, Case No: CGC-20-588148.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

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[19289]

FERC Docket No. EL00-95-000, et al

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal

Existing Litigation - Federal

19 **Conference with Legal Counsel - Existing Litigation**

[19290]

Case No. 19-30088

PG&E Corporation Case, debtor. Case No. 19-30088; In re: Pacific Gas and Electric Company, Debtor. Case No 19-30089; United States Bankruptcy Court Northern District of California San Francisco Division.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

20 **Conference with Legal Counsel - Existing Litigation**

[19291]

Case No. 20-22476

FRONTIER COMMUNICATIONS CORPORATION, et al., United States Bankruptcy Court Southern District of New York, Case No. 20-22476.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

21

Conference with Legal Counsel - Initiation of Litigation

[19292]

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Federal

Closed Session - Administrative Matters

Consideration and discussion of administrative matters.

Public Utilities Code section 1701.1(f) allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session